

Bill no.:	<u>Committee Print</u>
Amendment no.:	<u>1</u>
Date offered:	<u>10/26/05</u>
Disposition:	<u>Not Agreed to by</u> <u>21 yeas and 28 nays</u>

AMENDMENT TO THE COMMITTEE PRINT
OFFERED BY MR. DINGELL OF MICHIGAN AND
MR. MARKEY OF MASSACHUSETTS

Strike title I of the Committee Print and insert the following:

1 **TITLE I—DIGITAL TELEVISION**
2 **TRANSITION**

3 **SECTION 101. SHORT TITLE.**

4 This Act may be cited as the “Television Takings
5 Restoration Act of 2005”.

6 **SEC. 102. FINDINGS.**

7 The Congress finds the following:

8 (1) If done properly, bringing closure to the
9 digital television transition can enhance public safety
10 communications resources, spur investment in wire-
11 less competition and broadband services, and bring
12 consumers the many benefits of advanced television.

13 (2) The cessation of analog broadcasting, how-
14 ever, has the potential to disenfranchise millions of
15 television viewers and disrupt the lives of Americans
16 who watch an average of 8 hours per day of tele-
17 vision.



1 (3) Millions of American households cannot af-
2 ford or do not care to purchase subscription-based
3 services and instead rely solely upon free, over-the-
4 air television to receive their news, weather, emer-
5 gency alerts and entertainment. The Government
6 Accountability Office (GAO) estimates that there are
7 almost 21 million television households in the United
8 States that rely exclusively on free, over-the-air
9 broadcast transmissions to receive television pro-
10 gramming. According to GAO, a disproportionate
11 number of these households are low income, with 48
12 percent having a household income of less than
13 \$30,000. GAO also found that these over-the-air
14 households are disproportionately nonwhite and His-
15 panic.

16 (4) It is estimated that there are as many as
17 73 million analog television receivers in use in the
18 United States that are not connected either to cable
19 or to satellite. Many households that subscribe to
20 cable or satellite service also have over-the-air sets in
21 their home that will be affected by the shut off of
22 analog broadcasting. Other homes may have sets
23 connected to satellite service yet continue to receive
24 their local stations using over-the-air antennas.

1 (5) In 1997, Congress approved, as part of the
2 budget reconciliation process, a digital television
3 transition deadline that permits television broad-
4 casters in a market to delay the return of the spec-
5 trum until more than 85 percent of television house-
6 holds in that market have the ability to display dig-
7 ital television signals.

8 (6) At that time, however, Congress failed to
9 support legislative efforts to ensure that the market-
10 place would yield a sufficient number of digital tele-
11 vision receivers in homes to reach the 85 percent
12 threshold in a timely manner or to warn consumers
13 that if they bought analog-only televisions that they
14 would need additional equipment to continue to dis-
15 play television pictures upon the changeover to dig-
16 ital television.

17 (7) Since 1997, millions of Americans have
18 bought analog-only televisions, and millions more
19 continue to buy such analog television sets expecting
20 them to work for years to come. More than 23 mil-
21 lion analog-only television sets were sold in the U.S.
22 in 2004. While the average life span of an analog
23 television receiver in service is approximately 8 to 10
24 years, many analog receivers may be used for 15 or
25 20 years, or longer.



1 (8) When analog broadcasting ceases, analog-
2 only television sets will no longer work without addi-
3 tional equipment. Consumers who want to continue
4 using analog television receivers will need to obtain
5 a digital-to-analog converter box or subscribe to a
6 service that enables the continued viewing of analog
7 signals. Because digital-to-analog converter boxes
8 are projected to cost \$60 or more when manufac-
9 tured in significant volume, equipping existing ana-
10 log television sets with the necessary converter boxes
11 could cost billions.

12 (9) Consumers, who for the most part have nei-
13 ther sought nor even know about this transition,
14 should be held harmless as a consequence of the gov-
15 ernment's decision to cut off analog broadcasting.
16 Without a program to obtain the necessary equip-
17 ment, consumers would be forced to pay billions in
18 transition costs just to keep watching television on
19 their current sets. Consumers deserve full restitution
20 for the governmental choice to deprive them of the
21 use of their fully-functional television sets.

22 (10) The certainty of a hard deadline to end
23 analog television transmission will focus consumers,
24 industry, and government on the steps needed to
25 transition to digital broadcasting. A hard deadline



1 will also enable return of spectrum for critical public
2 safety and commercial wireless uses at a defined
3 time. It is anticipated that the proceeds from the
4 government auctioning the returned spectrum could
5 raise \$10 billion to \$28 billion.

6 (11) The spectrum being reclaimed from ces-
7 sation of analog broadcasting is a public good. The
8 proceeds from selling off the public's airwaves
9 should be used in ways that benefit all the public.
10 After reimbursing consumers for their digital tele-
11 vision transition expenses, any remaining spectrum
12 auction revenues should be used for critical public
13 safety and telecommunications needs.

14 (12) The lack of interoperable public safety
15 communications has been a major problem during
16 disaster rescue operations. Funding is needed to ad-
17 dress challenges that stand in the way of achieving
18 interoperability, such as coordinating among appro-
19 priate public safety officials, replacing outdated
20 equipment with new infrastructure, and retraining.

21 (13) Since the attacks on the World Trade Cen-
22 ter in 2001, the Federal Government has spent only
23 \$1.3 billion on interoperable communications. In
24 2003, the Office of Management and Budget pro-
25 jected \$15 billion as the common estimate to achieve



1 interoperability. The bulk of the spectrum auction
2 proceeds should be devoted to reinforcing the com-
3 munications abilities of the public safety officials
4 who risk their lives every day to leave no one behind
5 in harmful situations.

6 **SEC. 103. ANALOG SPECTRUM RECOVERY: HARD DEADLINE.**

7 (a) AMENDMENTS.—Section 309(j)(14) of the Com-
8 munications Act of 1934 (47 U.S.C. 309(j)(14)) is
9 amended—

10 (1) in subparagraph (A), by striking “December
11 31, 2006” and inserting “April 7, 2009”;

12 (2) by striking subparagraph (B);

13 (3) in subparagraph (C)(i)(I), by striking “or
14 (B)”;

15 (4) in subparagraph (D), by striking “(C)(i)”
16 and inserting “(B)(i)”; and

17 (5) by redesignating subparagraphs (C) and
18 (D) as subparagraphs (B) and (C), respectively.

19 (b) IMPLEMENTATION.—

20 (1) FINAL DTV ALLOTMENT TABLE OF IN-CORE
21 CHANNELS FOR FULL-POWER STATIONS.—The Fed-
22 eral Communications Commission shall—

23 (A) release by December 31, 2006, a re-
24 port and order in MB Docket No. 03–15 mak-
25 ing assignments to all full-power broadcast tele-



1 vision stations authorized in the digital tele-
2 vision service of a channel between channels 2
3 and 36, inclusive, or 38 and 51, inclusive; and
4 (B) conclude by July 31, 2007, any recon-
5 sideration of such report and order.

6 (2) STATUS REPORTS.—Beginning February 1,
7 2006, and ending when international coordination
8 with Canada and Mexico of the DTV table of allot-
9 ments is complete, the Commission shall submit re-
10 ports every 3 months on the status of that inter-
11 national coordination to the Committee on Energy
12 and Commerce of the House of Representatives and
13 the Committee on Commerce, Science, and Trans-
14 portation of the Senate.

15 (3) TERMINATIONS OF ANALOG LICENSES AND
16 BROADCASTING.—The Federal Communications
17 Commission shall take such actions as may be nec-
18 essary to terminate all licenses for full-power broad-
19 casting stations in the analog television service and
20 to require the cessation of broadcasting by full-
21 power stations in the analog television service by
22 April 8, 2009.

23 (c) ESTABLISHMENT OF AN EMERGENCY ALERT
24 STANDARD FOR DIGITAL TELEVISION.—Within 180 days
25 after the date of enactment of this Act, the Federal Com-



1 munications Commission shall complete its rulemaking
2 pursuant to EB Docket No. 04-296 to adopt an Emer-
3 gency Alert System standard and requirements for the
4 digital broadcast television service.

5 **SEC. 104. AUCTION OF RECOVERED SPECTRUM; USE OF**
6 **PROCEEDS.**

7 (a) DEADLINE FOR AUCTION.—Section
8 309(j)(15)(C) of the Communications Act of 1934 (47
9 U.S.C. 309(j)(15)(C)) is amended by adding at the end
10 the following new clause:

11 “(v) ADDITIONAL DEADLINES FOR RE-
12 COVERED ANALOG SPECTRUM.—Notwith-
13 standing subparagraph (B), the Commis-
14 sion shall conduct the auction of the li-
15 censes for recovered analog spectrum (as
16 such term is defined in paragraph
17 (8)(E)(ii)) by commencing bidding not
18 later than January 15, 2008, and the pro-
19 ceeds of such auction shall be deposited in
20 accordance with paragraph (8)(E)(i) not
21 later than June 30, 2008.”.

22 (b) RESERVATION OF AUCTION PROCEEDS.—Section
23 309(j)(8) of such Act is amended—

1 (1) in subparagraph (A), by striking “subpara-
2 graph (B) or subparagraph (D)” and inserting “sub-
3 paragraphs (B), (D), and (E)”;

4 (2) in subparagraph (C)(i), by inserting before
5 the semicolon at the end the following: “, except as
6 otherwise provided in subparagraph (E)(i)”; and

7 (3) by adding at the end the following new sub-
8 paragraph:

9 “(E) DEPOSIT OF REVENUES FROM RE-
10 COVERED TELEVISION SPECTRUM.—

11 “(i) PROCEEDS FOR TELEVISION RES-
12 TINATION AND PUBLIC SAFETY COMMU-
13 NICATIONS FUND.—Notwithstanding sub-
14 paragraph (A), all of the proceeds (includ-
15 ing deposits from winning bidders) from
16 the use of a competitive bidding system
17 under this subsection with respect to recov-
18 ered analog spectrum shall be deposited in
19 the Television Restoration and Public Safe-
20 ty Communications Fund, and be available
21 exclusively to carry out section 105 of the
22 Television Takings Restoration Act of
23 2005.

24 “(ii) RECOVERED ANALOG SPEC-
25 TRUM.—For purposes of clause (i), the



1 term 'recovered analog spectrum' means
2 the spectrum reclaimed from analog tele-
3 vision service broadcasting under para-
4 graph (14), other than—

5 “(I) the spectrum required by
6 section 337 to be made available for
7 public safety services; and

8 “(II) the spectrum auctioned
9 prior to the date of enactment of the
10 Television Takings Restoration Act of
11 2005.”.

12 (c) EXTENSION OF AUCTION AUTHORITY.—Section
13 309(j)(11) of such Act is amended by striking “2007” and
14 inserting “2010”.

15 **SEC. 105. TELEVISION RESTORATION AND PUBLIC SAFETY**
16 **COMMUNICATIONS FUND.**

17 (a) FUNDING.—There is established in the Treasury
18 a separate fund to be known as the “Television Restora-
19 tion and Public Safety Communications Fund” (referred
20 to in this Act as the “Fund”). The Fund shall contain
21 such amounts as are deposited to the Fund under section
22 309(j)(8)(E) of the Communications Act of 1934 (47
23 U.S.C. 309(j)(8)(E)) and any interest earned on the
24 amounts in the Fund.

25 (b) ADMINISTRATION.—



1 (1) IN GENERAL.—The Fund shall be adminis-
2 tered by Secretary of Commerce.

3 (2) CREDIT.—The Assistant Secretary may bor-
4 row from the Treasury such sums as may be nec-
5 essary to implement and administer the program in
6 accordance with this section. The Assistant Sec-
7 retary shall reimburse the Treasury as funds are de-
8 posited into the Television Restoration and Public
9 Safety Communications Fund.

10 (c) PRIORITY ACCOUNTS; FUNDS AVAILABLE.—
11 There shall be in the Fund the following priority accounts,
12 to which shall be credited, and from which shall be avail-
13 able, the following amounts, in the following order, from
14 the amounts deposited under subsection (a):

15 (1) TV PICTURE RESTORATION PROGRAM AC-
16 COUNT.—For the TV Picture Restoration Program
17 Account to carry out section 159 of the National
18 Telecommunications and Information Administration
19 Organization Act: such sums as may be necessary to
20 carry out the program under subsection (a) of such
21 section and to fulfill the contractual obligations of
22 the Assistant Secretary under subsection (b)(3) of
23 such section, except that any amounts in such ac-
24 count that remain unexpended on October 31, 2009,



1 shall be credited to, and available from, the Public
2 Safety First Responder Interoperability Account.

3 (2) PUBLIC SAFETY.—After completion of the
4 TV Picture Restoration Program under such section:

5 (A) PUBLIC SAFETY FIRST RESPONDER
6 INTEROPERABILITY ACCOUNT.—For the Public
7 Safety First Responder Interoperability Ac-
8 count to carry out section 106 of the National
9 Telecommunications and Information Adminis-
10 tration Organization Act: \$5,800,000,000.

11 (B) E-911 IMPLEMENTATION COORDINA-
12 TION OFFICE AND GRANT ACCOUNT.—For the
13 E-911 Implementation Coordination Office and
14 Grant Account to carry out section 158 of such
15 Act (47 U.S.C. 942): \$200,000,000.

16 (3) LOW-POWER TRANSLATOR DIGITAL-TO-ANA-
17 LOG CONVERSIONS.—For a program to convert low-
18 power television stations and television translator
19 stations from analog to digital: \$75,000,000.

20 (4) NEW YORK CITY REPEATER PROGRAM.—
21 For a television repeater program for New York City
22 broadcasters displaced from the World Trade Center
23 on September 11, 2001: \$30,000,000.

24 (5) U.S./MEXICAN BORDER COMMUNITY DIS-
25 TRIBUTION PROGRAM.—For a program to ensure ef-



1 fective distribution of digital-to-analog converter
2 boxes in U.S./Mexican border communities:
3 \$15,000,000. The Assistant Secretary shall establish
4 a distribution program to ensure the effective dis-
5 tribution of such boxes, including utilizing non-profit
6 or for-profit entities to distribute such boxes. Ena-
7 bling consumers along the border to receive digital
8 signals over their analog televisions is vital given the
9 unique public safety concerns of the border region
10 and to ensure that local broadcasters are not un-
11 fairly harmed given their proximity to their Mexican
12 competitors who will not concurrently be
13 transitioning to digital broadcasting.

14 (d) RURAL, LOW-INCOME, AND BROADBAND ECO-
15 NOMIC DEVELOPMENT ACCOUNT.—After crediting the
16 amounts required under subsection (c), the remainder of
17 the the amounts deposited under subsection (a) shall be
18 credited to the Rural, Low-Income, and Broadband Eco-
19 nomic Development Account, for broadband deployment in
20 rural, underserved, and economically depressed areas and
21 to promote the public use of advanced technologies and
22 telecommunications for education and job training to en-
23 sure America's competitiveness in the 21st Century.



1 **SEC. 106. TV PICTURE RESTORATION PROGRAM.**

2 Part C of the National Telecommunications and In-
3 formation Administration Organization Act is amended by
4 adding at the end the following new section:

5 **“SEC. 159. TV PICTURE RESTORATION PROGRAM.**

6 “(a) VOUCHER PROGRAM FOR FREE CONVERTER
7 BOXES.—

8 “(1) AUTHORITY.—From the funds available
9 under section 105(e)(1) of the Television Takings
10 Restoration Act of 2005, the Assistant Secretary
11 shall establish a program under which each house-
12 hold in the United States shall receive a voucher,
13 which shall be redeemable as provided in this section
14 for not more than 2 free digital-to-analog-converter
15 boxes certified pursuant to subsection (b).

16 “(2) PROGRAM TIMING.—Such program shall be
17 established and operational so that—

18 “(A) vouchers are distributed to house-
19 holds not later than October 1, 2008;

20 “(B) a voucher provided under the pro-
21 gram shall be redeemable for not more than 2
22 certified digital-to-analog-converter boxes be-
23 tween October 1, 2008, and July 31, 2009.

24 “(3) IMPLEMENTATION.—The Assistant Sec-
25 retary may enter into one or more contracts with
26 other Federal agencies for the administration, in



1 whole or in part, of the program under this sub-
2 section.

3 “(4) LIST OF RETAIL DISTRIBUTORS.—The As-
4 sistant Secretary shall maintain a list, arranged by
5 zip code, of all participating retail distributors under
6 this subsection. Such list shall be available to con-
7 sumers over the Internet or by a request to a toll-
8 free telephone number established by the Assistant
9 Secretary, that responds in both the English and
10 Spanish languages.

11 “(5) VOUCHER REDEMPTION.—The Assistant
12 Secretary shall, by regulation, establish standards
13 for redemption of vouchers made available under
14 this section. Such standards shall—

15 “(A) require participating retail distribu-
16 tors of digital-to-analog converter boxes cer-
17 tified pursuant to subsection (b) to provide con-
18 sumers with such boxes upon submission of
19 valid vouchers;

20 “(B) require such distributors to verify
21 that the address on the voucher matches the
22 address of the submitter of the voucher;

23 “(C) permit the voucher to be redeemed
24 for the total retail purchase price of one or two



1 such converter boxes, not to exceed a total re-
2 tail purchase price of \$60 per box; and

3 “(D) establish a process for participating
4 retail distributors to submit vouchers to the
5 agency administering the program under this
6 section for reimbursement for boxes provided
7 pursuant to submission of vouchers and to ob-
8 tain such reimbursement of the retail price of
9 the box within 60 days after submission to such
10 agency.

11 “(6) REIMBURSEMENT AGREEMENTS.—

12 “(A) AGREEMENTS REQUIRED.—Any eligi-
13 ble retail distributor that seeks to participate in
14 the reimbursement program shall enter into a
15 reimbursement agreement with the Assistant
16 Secretary that—

17 “(i) specifies the terms and conditions
18 for receipt of reimbursement under this
19 subsection; and

20 “(ii) contains such information and
21 assurances, and is in such form, as the As-
22 sistant Secretary may require.

23 “(B) ELIGIBLE RETAIL DISTRIBUTOR.—
24 Any retail distributor of television receivers or
25 related equipment may be eligible to enter into

1 such an agreement if such distributor dem-
2 onstrates to the Assistant Secretary that such
3 distributor has established the capacity to elec-
4 tronically and securely submit invoices for reim-
5 bursement and receive reimbursement from the
6 program under this subsection.

7 “(7) FRAUD PREVENTION.—Each voucher shall
8 have printed on it the address to which it was
9 mailed. The Secretary shall take any other measures
10 necessary to minimize fraud, counterfeiting, duplica-
11 tion, and any other unauthorized use.

12 “(8) BILINGUAL FORMAT.—Each voucher pro-
13 vided under this section shall be printed in both the
14 English and Spanish languages.

15 “(9) REPORTING.—The Assistant Secretary
16 shall report to Congress beginning November 1,
17 2008, and each month thereafter until July 31,
18 2009, the number of vouchers that have been sub-
19 mitted for redemption through the TV Picture Res-
20 toration Program.

21 “(10) REGULATIONS.—The Secretary shall
22 issue such regulations as may be necessary to carry
23 out the program under this subsection. Such regula-
24 tions shall include such measures to prevent fraud



1 under this subsection as the Assistant Secretary de-
2 termine to be necessary.

3 “(b) CERTIFICATION OF BOXES.—The Commission,
4 in consultation with the Assistant Secretary, shall pre-
5 scribe procedures for certifying digital-to-analog-converter
6 boxes for purposes of the programs under subsection (a).
7 Such procedures—

8 “(1) shall not certify any device unless such de-
9 vice is capable of, and has as its primary purpose,
10 converting signals broadcast in the digital television
11 service into signals that can be displayed on any tel-
12 evision receiver that is designed to receive and dis-
13 play signals in the analog television service, accord-
14 ing to any quality or other technical standards that
15 the Commission may prescribe;

16 “(2) shall require the person providing the de-
17 vice for certification to demonstrate that the device
18 will be available to the general public on a retail
19 basis for a price of \$60 or less; and

20 “(3) shall, by August 31, 2008, provide for the
21 publication of a list of the devices certified to eligible
22 retail distributors, manufacturers, and importers of
23 such devices, and to the public.

24 “(c) APPEALS.—



1 “(1) MECHANISM REQUIRED.—The regulations
2 under this section shall establish a cost-free mecha-
3 nism by which a consumer or entity participating in
4 the program can appeal for the review and resolu-
5 tion of any complaints regarding the program,
6 including—

7 “(A) allegations that a household did not
8 receive a voucher to which it was entitled;

9 “(B) that the household is in need of a re-
10 placement voucher; or

11 “(C) that a retailer has not received a
12 timely reimbursement.

13 “(2) DEADLINE FOR RESOLVING APPEALS.—
14 Any appeal brought under these regulations should
15 be resolved within 30 days.

16 “(d) DEFINITION.—For purposes of this section, the
17 term ‘digital-to-analog converter box’ means an electronic
18 device that is capable of converting signals broadcast in
19 the digital television service into signals that can be dis-
20 played on television receivers designed to receive and dis-
21 play signals in the analog television service.”.

22 **SEC. 107. PUBLIC SAFETY ACCOUNT.**

23 Part A of the National Telecommunications and In-
24 formation Administration Organization Act (47 U.S.C.



1 901 et seq.) is amended by adding at the end the following
2 new section:

3 **“SEC. 106. PUBLIC SAFETY ACCOUNT.**

4 “(a) AVAILABILITY OF FUNDS.—From the amounts
5 available from the Public Safety First Responder Inter-
6 operability Account under section 105(c)(2)(A) of the Tel-
7 evision Takings Restoration Act of 2005 (in this section
8 referred to as ‘the account’), the Assistant Secretary shall
9 make grants in accordance with this section.

10 “(b) PURPOSE AND ACTIVITIES.—

11 “(1) GRANT PURPOSES.—In order to achieve
12 the objectives and carry out the purposes of this
13 part, the Assistant Secretary is authorized to make
14 grants, from amounts in the account, to implement
15 interoperability and modernization (including equip-
16 ment upgrades) for the communications needs of
17 public safety, fire, emergency, law enforcement, and
18 crisis management by State and local government
19 agencies and instrumentalities and nonprofit organi-
20 zations.

21 “(2) GRANT PREFERENCE FOR BROADER SCOPE
22 OF INTEROPERABILITY.—In making grants from the
23 account, the Assistant Secretary shall give pref-
24 erence to eligible entities that are proposing inter-



1 agency or regional and multi-jurisdictional interoper-
2 ability.

3 “(3) GRANT AVAILABILITY.—Grants from the
4 account shall be made available on a single or multi-
5 year basis to facilitate long term planning and train-
6 ing.

7 “(c) ELIGIBLE ENTITIES.—The following organiza-
8 tions and entities are eligible to apply for grants under
9 this section:

10 “(1) an agency or instrumentality of a State or
11 local government of the United States (including an
12 agency or instrumentality of the District of Colum-
13 bia or a territory or possession of the United
14 States); and

15 “(2) a nonprofit agency or organization that is
16 exempt from taxes under section 501(c)(3) of the In-
17 ternal Revenue Code of 1986 and that performs a
18 public safety function, as determined by the Assist-
19 ant Secretary.

20 “(d) PERMISSIBLE USES OF FUNDS.—Amounts
21 made available by grant from the account may be used
22 by eligible entities for equipment, training, planning, and
23 research for the purposes of upgrading communications
24 and the interoperability of communications used in public



1 safety, fire, emergency, law enforcement, and crisis man-
2 agement.

3 “(e) REPORTS.—

4 “(1) BY GRANT RECIPIENTS.—Each grant re-
5 cipient shall submit to the Assistant Secretary and
6 the board a report on the use of the funds provided
7 by the grant, and on the progress made with respect
8 to the improvement of the grant recipient’s commu-
9 nications capabilities.

10 “(2) BY ASSISTANT SECRETARY.—The Assist-
11 ant Secretary shall annually submit to the Congress
12 a report on the operations of the account and the
13 grants made by the account. Such report shall
14 include—

15 “(A) an identification of the grants made,
16 the recipients thereof, and the planned uses of
17 the amounts made available;

18 “(B) a financial report on the operations
19 and condition of the account; and

20 “(C) a description of the results of the use
21 of funds provided by grants under this section,
22 including the status of interoperability imple-
23 mentation by the grant recipients.



1 “(f) REGULATIONS.—The Secretary may prescribe
2 such regulations as may be necessary and appropriate to
3 carry out this section.”.

4 **SEC. 108. LABELING AND CONSUMER EDUCATION.**

5 (a) AMENDMENT.—Section 330 of the Communica-
6 tions Act of 1934 (47 U.S.C. 330) is amended—

7 (1) by redesignating subsection (d) as sub-
8 section (e); and

9 (2) by inserting after subsection (c) the fol-
10 lowing new subsection:

11 “(d) LABELING AND CONSUMER EDUCATION.—

12 “(1) REQUIREMENTS FOR MANUFACTURERS.—
13 Effective 180 days after the date of enactment of
14 the Television Takings Restoration Act, any manu-
15 facturer of any television receiving equipment de-
16 scribed in section 303(s) that does not include an
17 digital tuner shall—

18 “(A) place a label removable by the pur-
19 chaser on any television screen, in clear and
20 conspicuous print, the following Consumer
21 Warning Label language: ‘After April 7, 2009,
22 this television will receive broadcast television
23 signals only by using additional equipment. For
24 more information, call the Federal Communica-
25 tions Commission at 1-888-225-5322 (TTY:



1 1-888-835-5322) or visit the Commission's
2 website at: www.dtv.gov or www.fcc.gov.
3 Después del 7 de Abril del 2009, este televisor
4 solo podra recibir señales de emisoras de
5 televisión unicamente con la ayuda de equipo
6 adicional. Si requiere más información, llame a
7 la Comisión Federal de Comunicaciones al 1-
8 888-225-5322 (TTY: 1-888-835-5322) o
9 visite el sitio web de la Comisión en:
10 www.dtv.gov o www.fcc.gov ; and

11 “(B) place such warning label language
12 permanently and conspicuously on the outside
13 of the retail packaging of such television set.

14 “(2) OTHER DEVICES.—For devices other than
15 television sets that are included in section 303(s)
16 and that contain an analog tuner, but not an digital
17 tuner, the Commission shall require the clear and
18 conspicuous placement of a comparable consumer
19 warning label language on such devices, as well as
20 on the outside of the retail packaging of such de-
21 vices.

22 “(3) ADDITIONAL DISCLOSURES.—

23 “(A) ANNOUNCEMENTS AND NOTICES RE-
24 QUIRED.—From April 7, 2008 through April 7,
25 2009—



1 “(i) each television broadcaster shall
2 air, at a minimum, 120 seconds per day of
3 public service announcements between the
4 hours of 6 a.m. and 11:35 p.m., at variable
5 time slots throughout the week, with at
6 least half aired between the hours of 5
7 p.m. and 11:35 p.m.; and

8 “(ii) any multichannel video program
9 distributor shall include a notice in or with
10 each periodic bill.

11 “(B) CONTENT OF ANNOUNCEMENTS AND
12 NOTICES.—The announcements and notices re-
13 quired by this paragraph shall educate con-
14 sumers about the deadline for termination of
15 analog television broadcasting and the equip-
16 ment options consumers have after such termi-
17 nation. Announcements aired and notices dis-
18 tributed after July 31, 2008, shall also educate
19 consumers about the need for and availability of
20 the converter box voucher program and the
21 steps to redeem the voucher.

22 “(4) ADVISORY COMMITTEE.—

23 “(A) ESTABLISHMENT.—The Commission
24 shall create a DTV Transition Federal Advisory
25 Committee to lead the effort to educate the



1 public about the digital television transition and
2 to ensure that the public knows the information
3 described in paragraph (3)(B). Such consumer
4 education shall commence no later than Sep-
5 tember 1, 2008.

6 “(B) COMPOSITION.—The committee shall
7 be composed of representatives from the fol-
8 lowing groups: commercial broadcasters, non-
9 commercial broadcasters, cable operators, sat-
10 ellite providers, retailers and manufacturers of
11 consumer electronics equipment, minority
12 groups, Hispanic Americans, Americans whose
13 primary language is not English, Americans
14 with disabilities, Americans living in rural com-
15 munities, general business, senior citizens, com-
16 mercial advertising, and consumers in general.

17 “(C) ADVISORY COMMITTEE ROLE.—The
18 committee shall—

19 “(i) develop a comprehensive edu-
20 cation plan for consumers regarding the
21 digital television transition which
22 includes—

23 “(I) specific and targeted mes-
24 sages to reach various consumer con-
25 stituencies (such as low income, mi-



1 norities, Spanish-speaking, and the el-
2 derly);

3 “(II) best methods to deliver the
4 message to affected consumers;

5 “(III) implementation of the
6 plan;

7 “(IV) website information and
8 toll-free numbers;

9 “(ii) coordinate with stakeholders to
10 ensure that the transition is properly im-
11 plemented; and

12 “(iii) report to Congress every 6
13 months on how the transition is pro-
14 gressing.

15 “(D) FIRST MEETING.—The advisory com-
16 mittee shall conduct its first meeting within 60
17 days after the date of enactment of the Tele-
18 vision Takings Restoration Act.

19 “(5) COMMISSION INFORMATION SERVICES.—
20 The Commission’s toll-free number for consumers
21 information and the Commission’s Internet website
22 shall provide information concerning the digital tele-
23 vision transition, in the English and Spanish lan-
24 guages, not later than September 1, 2008.”.



1 (b) PRESERVING AND EXPEDITING TUNER MAN-
2 DATES.—The Federal Communications Commission—

3 (1) shall, within 30 days after the date of en-
4 actment of this Act revise the digital television re-
5 ception capability implementation schedule under
6 section 15.117(i) of its regulations (47 CFR
7 15.117(i)) to require, in the case of television recep-
8 tion devices that have, or are sold in a bundle with,
9 display screens sized 13 to 24 inches, inclusive, that
10 100 percent of all such units must include digital
11 television tuners effective March 1, 2007; and

12 (2) shall not make any other changes that ex-
13 tend or otherwise delay the digital television recep-
14 tion capability implementation schedule for television
15 reception devices that have, or are sold in a bundle
16 with, display screens.

